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COMPTROLLER GENERAL OF THE UNITED STATES  
Washington 25

B-107062

January 11, 1952

The Administrator of Veterans Affairs  
Veterans Administration

My dear Mr. Administrator:

Reference is made to the letter of the Deputy Administrator dated December 14, 1951, requesting decision whether payment is authorized upon the voucher therewith transmitted in favor of Mamie R. Powell in the amount of \$9, representing per diem in lieu of subsistence administratively deducted from a prior travel voucher covering the period September 28 to October 11, 1951, and as a corollary whether an employee may be required to travel on non-workdays for which he receives no compensation.

It appears from the record that the employee was given travel orders authorizing travel from her official station, Atlanta, Georgia to Washington, D. C., for temporary duty to begin approximately September 28, 1951. She left Atlanta by privately owned vehicle 5:30 a.m., Friday, September 28, and arrived in Washington, D. C., at 2:35 p.m., Saturday, September 29, 1951. The deduction of the \$9 per diem was administratively made upon the theory that she could have left Atlanta a day later and arrived in Washington on Sunday. The claimant contends that she should not be required to travel on a non-workday unless overtime pay is authorized.

As indicated in your letter, the position of this Office is that an affirmative designation by the Congress is necessary before overtime compensation may be allowed generally for travel outside per annum employees' regular fixed tours of duty, but it would not appear to follow from the fact that compensation is not payable for such travel time that administrative officials are precluded from directing an employee to travel outside his regular working hours. Nor can an employee, solely because of the nonpayment of compensation for travel time, rightly refuse to undertake the travel so ordered. Of course, administrative policy in that regard should be so designed that it will adequately protect the interests of the Government and at the same time not result in undue hardship to employees.

In the instant case, the employee's travel orders did not specify the date on which she was required to depart from her official station. Accordingly, and since it is the view of this Office that the employee by departing from her headquarters on Friday morning rather than on Saturday morning did not exercise "the same care in incurring expenses that a prudent person would exercise if traveling on personal business,"

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it is concluded that the administrative action in deducting the excess cost was proper. See paragraph 1, Standardized Government Travel Regulations. The reclaim voucher submitted with your letter may not be processed for payment.

The voucher is returned herewith.

Sincerely yours,

(Signed) LINDSAY C. WARREN

Comptroller General  
of the United States

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